

**Minutes of Meeting
Grafton Planning Board
August 22, 2016**

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A regular meeting of the Grafton Planning Board was held on August 22, 2016 in Conference Room A at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Present for the meeting were Chairman Michael Scully, Vice-Chair Robert Hassinger, Linda Hassinger, Tracy Lovvorn and Associate Member Sharon Carrol-Tidman. Absent from the meeting was Clerk David Robbins. Staff present was Town Planner Joseph Laydon and Office Manager Nicole Larson.

Chairman Scully called the meeting to order at 7:04 p.m.

**1A: ACTION ITEM: REQUEST FOR APPROVAL NOT REQUIRED (ANR 2016-10) -
114 MERRIAM ROAD - FREDERICK CHURCHILL (OWNER) / GILMORE
BUILDERS CO., INC. (APPLICANT)**

Mr. Laydon noted that the proposed plan was used as a plan for the special permit for the Common Driveway, which had been previously approved by the Board for the Special Permit application.

MOTION by Mr. Hassinger, **SECOND** by Ms. Lovvorn to find that approval is not required and instruct the Town Planner to sign the Mylar. **MOTION** carried unanimously 4 to 0.

2A: BILLS

The bills were circulated and signed.

**1B: ACTION ITEM: 25R TRINITY AVE WELL SITE – UPDATE ON SHEETS FOR
RECORDING**

Mr. Laydon reviewed with the Board the Plans that will be required by the applicant to be submitted to the Registry of Deeds along with the Decision for the Special Permit.

2B: MEETING MINUTES FROM PLANNING BOARD MEETING ON MARCH 30, 2015

Two small items noted for edit.

MOTION by Mrs. Hassinger, **SECOND** by Mr. Hassinger to approve the meeting minutes from March 30, 2015 with discussed edits. **MOTION** carried unanimously 4 to 0.

2C: MEETING MINUTES FROM PLANNING BOARD MEETING ON AUGUST 8, 2016

Mr. Hassinger's title was discussed for edit.

MOTION by Mrs. Hassinger, **SECOND** by Mr. Hassinger to approve the meeting minutes from August 08, 2016 with edits submitted from Mr. Robbins. **MOTION** carried unanimously 4 to 0.

**3A: WORKSHOP ITEM: AMENDMENTS TO ZONING BYLAW REGARDING
MEDICAL MARIJUANA**

Mr. Laydon noted that the outcome of the last meeting with Town Counsel, and added that the past amendment mainly addressed the need to require an applicant to, at the very least, come before the Planning Board for Site Plan Approval with in specific zones that don't require a Special Permit. He created a zoning map to illustrate the 500 foot buffer zones (from the building) for each location that could be viewed as "areas where children congregate" to show what parcels are left to allowed for locations for the sale of medical marijuana and distributed the maps to Board Members and the audience member, resident Mark Johnson. He noted the Board's past reference to get clarification on and stated that he still needs to get more details on that definition, but included the most common ones with in the maps.

Board Members and Mr. Laydon noted that there is a discrepancy in the State Law that doesn't indicate a connection to the possibility of recreation marijuana be allowed in the future for allotted areas for medical marijuana. This discrepancy is noted by Board Members as a challenge.

Mr. Hassinger noted a language discrepancy with 1.k. Mr. Laydon recorded the edit with a strike out.

MOTION by Mr. Hassinger, **SECOND** by Mrs. Hassinger, to submit the draft language as 1.k. and publish the language accordingly. **MOTION** carried unanimously 4 to 0.

Mr. Laydon and the Board discussed the mention of medical marijuana to be "considered a pharmaceutical use". It was decided by staff and the Board to remove that specific item as noted with a strike out.

MOTION by Mr. Hassinger, **SECOND** by Mrs. Hassinger, to submit the drafted language, as amended, as 2.4.9.B. and publish the revised language accordingly. **MOTION** carried unanimously 4 to 0.

Mr. Hassinger noted his concern for the current language, stating it was too vague and worried that it could cause a discrepancy within certain lots for establishing adjacent proximity to the no-compliant zones. He also noted that Section 1.5.5, in his opinion, does not indicate how the Board should regulate discrepancies under the Zoning By-Law for Granting Special Permits. Mr. Laydon noted that the first paragraph under Section 1.5.5. does provide adequate reasoning for denial of a Special Permit.

Mr. Laydon noted that the zoning in an area is not always in line with the overall vision of the area and gave an example of the vacant lot in South Grafton that was once a home which caught fire and has since been rezoned as Industrial.

3B: WORKSHOP ITEM: MODIFICATIONS TO CAMPUS OVERLAY DISTRICT REGARDING EXTENSION AND COMPLETION OF MASTER PLANS

Mr. Laydon noted that there are 2 lots up for sale left from Grafton Science Park / Centech Park and the need to update Section 9.6.1.2 and Section 9.6.1.4 to the Campus Overlay District By-Laws in order to allow for contingency plan for an applicant that controls less than 50% of the lots and/or of the development area and no charges to the master plan are requested. Applicants like WBDC could become responsible for the control of a property after they have moved out of the property. Mr. Laydon stated that there has been no codification of aspects such as building architecture, signage and lighting and suggested that specific items such as landscaping, lighting, design standards ext. be codified for the sake of perpetuity of the property since the Mast Plan holder of the property is currently able to control.

Mr. Hassinger noted that he would like to see the applicants request to the Board for deeming the Master Plan complete, which it be made by way of a Public Hearing. Mr. Scully noted he would like the submission request for review to happen prior to the expiration.

Mr. Hassinger noted the discrepancy of the existing island on the property.

3C: WORKSHOP ITEM: MODIFICATIONS TO WIRELESS COMMUNICATION FACILITIES

With the recent application for 104 Creeper Hill Road, there were several issues noted by the applicant and Mr. Laydon requested a cost estimation for reviewing our current By-Law to get siting requirements up to speed with FCC requirements.

The Board discussed notes Mr. Laydon made, shown as highlighted on the draft for the amendment. Mr. Hassinger noted that the Town (Police and Fire) should be held to the same standards as a private property owner because the potential to affect abutters is the same.

Mr. Hassinger noted that there are other items, such as the balloon testing, that he would like to be required. Later in the meeting, the Board discussed the Town Planner's suggested language to make a determination for the need of a balloon test at the first Public Hearing instead of requiring it as part of the application submission requirement. Ms. Lovvorn expressed her opinion to place the emphasis on the need to do the balloon test and make the exemption for specific situations and applications.

Mr. Laydon and the Board Members then discussed the proposed language for the Site Selection Preferences Section 5.8.3. for different zoning areas.

3D: WORKSHOP ITEM: DISCUSSION OF OTHER ZONING BYLAW TOPICS

Mr. Laydon noted that Solar By-Law is currently on the back burner. He also suggested that the Building Inspector would like to get some kind of general by-law to address driveway slope in order to provide guidance for houses and 40B developments.

Mr. Laydon noted the time line for the discussed By-Law changes for Fall Town Meeting.

Mr. Hassinger also noted the recent newspaper headlines he's seen on run off issues. Mr. Laydon noted that he and other Department Heads will be meeting to look at Regulated MS4 for Ground Water Protection while incorporating Low Impact Development (LID) with graduate students from Worcester Polytechnic Institute (WPI) to address, run off, infiltration and temperature difference. Mr. Laydon will also be meeting with Gene Bernatt to consider a large living system for accepting and processing storm water runoff.

Mr. Laydon informed the Board that the first round of interviews was conducted for the North Grafton Transit Village Master Plan and spin off on Worcester Street applicants. Two more applicants are scheduled for tomorrow, August 23, 2016.

Washington Mills area was discussed and proposed as a next target location for improvement, zoning restructuring and park beautification project. Mr. Hassinger noted that he would like the Master Plan to be up

ITEM 9: ADJOURNMENT

MOTION By Mr. Hassinger, **SECOND** by Mrs. Hassinger, to adjourn the meeting. **MOTION** carried unanimously 4 to 0.

The meeting was adjourned at 9:44 p.m.

EXHIBITS

- Request For Approval Not Required (ANR 2016-10) - 114 Merriam Road - Frederick Churchill (Owner) / Gilmore Builders Co., Inc. (Applicant); includes the following:
 - Application Form A; signed by owner on August 11, 2016; received August 11, 2016; 1 page.
 - Affidavit, ANR Plan Submittal; no dated; received August 11, 2016; 1 page.
 - Certificate of Good Standing; signed by the Treasurer/Collector's Office on August 9, 2016; received August 11, 2016; 1 page.
 - Plan of Property; prepared by Jarvis Land Survey, Inc.; 24" X 18"; black and white; dated July 26, 2016; received August 11, 2016; 1 page.
- Draft Meeting Minutes From Planning Board Meeting On March 30, 2015; no date; 5 pages.
- Draft Meeting Minutes From Planning Board Meeting On August 8, 2016: no dated; 2 pages.
- Amendments To Zoning Bylaw Regarding Medical Marijuana; Includes The Following:
 - Draft Proposed Zoning Amendment, 2016 Fall Annual Town Meeting; Medical Marijuana Bylaw Amendment; no date; no received date; 1 page.
 - Packet of GIS Maps; 8 ½" X 11"; color; dated August 22, 2016; 3 pages.
 - Packet of GIS Maps; 11" X 17"; color; dated August 22, 2016; 4 pages.
 - Northbridge Code; dated November 01, 2015; no received date; 6 pages.
 - Proposed By-Law as submitted by Michael Scully; no date; received on March 25, 2016; 4 pages.
- Modifications To Campus Overlay District Regarding Extension And Completion Of Master Plans; Includes The Following:
 - Draft Proposed Zoning Amendment, 2016 Fall Annual Town Meeting; Campus Overlay District; no date; no received date; 1 page.
- Modifications To Wireless Communication Facilities; Includes The Following:
 - Draft Proposed Zoning Amendment, 2016 Fall Annual Town Meeting; Proposed Amendments to Wireless Communications Facilities; no date; no received date; 6 pages.

These minutes were approved by the Planning Board on: August 29, 2016